

LOCAL AGENCY FORMATION COMMISSION COUNTY OF SAN BERNARDINO

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FROM: MICHAEL TUERPE, LAFCO Analyst

TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: Agenda Item #5 – LAFCO 3047: Reorganization to Include Annexation to Running Springs Water District and Detachment from County Service Area 38

INITIATED BY

District Resolution, Running Springs Water District

RECOMMENDATION

Staff is recommending that the Commission approve LAFCO 3047 by taking the following actions:

1. Determine that LAFCO 3047 is statutory exempt from environmental review, and direct the Clerk to file a Notice of Exemption within five (5) days of this action.
2. Approve LAFCO 3047, with the standard terms and conditions of approval that include the “hold harmless” clause for potential litigation, continuation of fees, charges, assessments, etc.
3. Waive protest proceedings, as permitted by Government Code Section 56663 with 100% landowner consent.
4. Adopt LAFCO Resolution #2909 setting forth the Commission’s findings and determinations concerning this proposal.

BACKGROUND

LAFCO 3047 is a proposal submitted by Running Springs Water District through adoption of a resolution to annex approximately 1.04 +/- acre. The

proposal seeks to provide a water distribution system, a sewer collection system, and fire protection to a single parcel proposed for residential use. County Service Area 38, which provides fire protection services, will be detached from the area as a part of this proposal. The reorganization, as initiated by the District, is generally located in the northern portion of the Running Springs community on the northwest corner of the intersection of Wilderness Road and Fernside Drive. The area is in the northern portion of the Running Springs Water District sphere of influence. Location and vicinity maps are included as Attachment #1 to this report.

BOUNDARIES

The study area is generally bordered by parcel lines on the west, north, and east and Wilderness Road (existing Running Springs Water District boundaries) on the south. It is surrounded by vacant lands to the west and north, Boy Scout and church camps to the east, and residential uses to the south.

This proposal is the first extension of the District north of Wilderness Road and will create a peninsula to the west as indicated on the maps in Attachment #1. However, in order to develop the vacant parcel, annexation is needed for the extension of water and sewer services from the District. Also, the parcels to the west and northwest have not requested to be annexed to the District and have no imminent development plans at this time. Thus, staff believes that the reorganization does create a logical and serviceable boundary.

LAND USE

The study area is currently vacant lands, but the proposed land use is for a single-family dwelling. The owners plan to build a single-family residential home on the parcel. The County's assigned land use designation for the area is Hilltop/Resource Conservation (HT/RC). This designation has a minimum parcel size of 40 gross acres; however, the owners own a legal parcel and are allowed to build a single dwelling unit under current County land use designations.

PLAN FOR SERVICE

Current service requirements for the area are minimal due to its undeveloped nature and consist primarily of fire protection and road services. The Running Springs Water District has submitted a plan for services as required by law, and the plan is attached to this report for Commission review as Attachment #2. In general, the Plan identifies the following:

- Sewage services will be available to the parcel from the District upon reorganization. A sewer main is located 18 feet from the property in Wilderness Road. The owners of the parcel will be charged a sewer

connection fee of \$4,613.00 and installation of facilities necessary to connect to the sewer system will be extended at property owner's expense. Until sewer connections are completed, there will be a \$10.00 per year Sewer Standby Charge.

- Water services will be provided by the District upon reorganization. A water main is located 35 feet from the property in Wilderness Road. The owners of the parcel will be charged a water connection fee of \$4,398.00, and installation of facilities necessary to connect to the water system will be extended at property owner's expense. Until water connections are completed, there will be a \$30.00 per year Water Standby Charge assessed by the District.

Upon annexation to the District, Crestline-Lake Arrowhead Water Agency (CLAWA) will begin to assess a \$35.00 per year Water Standby Charge for facility repayment and improvements. In addition, CLAWA will collect the deferred annual Water Standby charge for each previous fiscal year since 1992-1993 upon the parcel's annexation to the District. This cost is estimated to be \$240.00.

Environmental Health Services for the County of San Bernardino supports this reorganization as it will allow for the connections for water and sewer services.

- Fire protection is currently the responsibility of County Service Area 38, but due to an automatic aid agreement and proximity to the area, Running Springs Fire Department provides first response.

Running Springs Water District will assume the responsibility of fire protection upon reorganization through what is commonly known as the Running Springs Fire Department. The closest District fire station is Station #51, located at 31242 Hilltop Blvd., less than one mile from the annexation area. Costs for fire protection will be financed through a \$65.00 per year Fire Availability Special Tax which will be assessed once the parcel has been improved and the property tax transferred from County Service Area 38.

As required by Commission policy and State law, the Plan for Service submitted by the Running Springs Water District shows that the extension of its services will maintain, and/or exceed, current service levels provided through the County.

ENVIRONMENTAL ISSUES

The Commission's Environmental Consultant, Tom Dodson and Associates, has reviewed the documents submitted by Running Springs Water District and

concludes that the proposed reorganization does not constitute a project under CEQA [Section 15061 (b) (3)]. Mr. Dodson recommends the Commission adopt a Statutory Exemption and direct the Clerk to file a Notice of Exemption. A copy of Mr. Dodson's response is included as Attachment #3 to this report.

LANDOWNER CONSENT

The Registrar of Voters has verified that the study area is legally uninhabited, and the County Assessor's Office has verified that the study area possesses 100 percent landowner consent to reorganization (included as Attachment #4). To date, staff has not received any written opposition to a waiver of protest proceedings from subject agencies on the proposal; however, this finding will be updated at the hearing. Thus, the Commission may waive the protest proceedings pursuant to Government Code 56663(c). Staff recommends that the Commission approve this proposal, waive further protest proceedings, and direct the Executive Officer to complete the action unless the District or County Service Area 38 provides written objection to such a waiver.

FINDINGS

The following findings are required to be provided by Commission policy and Government Code Section 56668 for any change of organization/reorganization proposal:

1. The Registrar of Voters has determined that the study area is legally uninhabited, containing zero registered voters as of December 2, 2005.
2. The County Assessor has determined that the value of land within the reorganization area is \$56,153 and that 100 percent of the landowners have consented to the reorganization.
3. The area is within the sphere of influence assigned Running Springs Water District.
4. Legal advertisement of the Commission's consideration has been provided through publications in *The Alpenhorn News* and *The Sun*, newspapers of general circulation in the area.
5. Individual notice has been provided to landowners within the reorganization area (totaling one), and to all registered voters and landowners located within roughly 700 feet of the exterior boundaries of the reorganization site (totaling 73) in accordance with State law and adopted Commission policies. To date, no comments or opposition have been received.

6. The County's assigned land use designation for the area is Hilltop/Resource Conservation (HT/RC). This designation has a minimum parcel size of 40 gross acres; however, the owners own a legal parcel and are allowed to build a single dwelling unit under current County land use designations.
7. The Commission's Environmental Consultant, Tom Dodson and Associates, has reviewed the documents submitted by Running Springs Water District and concludes that the proposed reorganization does not constitute a project under CEQA [Section 15061 (b) (3)]. Mr. Dodson recommends that the Commission adopt a Statutory Exemption and direct the Clerk to file a Notice of Exemption. A copy of Mr. Dodson's response is included as Attachment #3 to this report.
8. The area in question is presently served by the following local agencies:

County of San Bernardino
County Service Area 38
County Service Area 70
San Bernardino Mountains Community Hospital District
Mojave Desert Resource Conservation District
Crestline-Lake Arrowhead Water Agency
Rim of the World Recreation and Park District

County Service Area 38 will be detached from the area upon successful completion of the proposal as a function of the reorganization. No other agencies will be affected by this proposal.

9. The Running Springs Water District has submitted a "Plan for Service" as required by law which indicates that the District can improve the level and range of selected services currently available in the area. (See Attachment #2).
10. The study area will benefit from the availability and extension of water and sewer services and has benefited from fire service from Running Springs Water District.
11. The County of San Bernardino adopted a resolution to transfer property tax revenues that will take effect upon completion of this reorganization. This negotiated agreement fulfills the requirement of Section 99 of the Revenue and Taxation Code.
12. The map and legal description, as revised, are in substantial compliance with LAFCO and State standards through certification by the County Surveyor's Office.

CONCLUSION

Staff supports approval of LAFCO 3047 since the area will benefit from the extension of water and sewer services in addition to fire protection from the Running Springs Water District.

Attachments:

1. Location and Vicinity Maps
2. Running Springs Water District's Application and Plan for Service
3. Response from the Commission's Environmental Consultant,
Tom Dodson and Associates
4. Landowner Consent Forms
5. Draft Resolution #2909